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**FACSIMILE COVER SHEET**

**DATE:** February 21, 2006

**NAME:** Commissioner for Patents

**COMPANY OR FIRM:** U.S.P.T.O.

**FACSIMILE NO.** 571.273.8300

**FROM:** Margaret A. Pruitt for Chandran D. Kumar, Reg. No. 48,679

**SUBJECT:** Serial No.: 10/798,686  
Atty Docket No.: 584-30872-US  
Deposit Acct. No.: 02-0429(584-30872-US)

**NUMBER OF PAGES INCLUDING THIS COVER SHEET: 9****IF ALL PAGES ARE NOT RECEIVED, PLEASE CALL MARGARET PRUITT @ (713) 266-1130x132****PRELIMINARY AMENDMENT ENCLOSED****CERTIFICATE OF FACSIMILE TRANSMISSION**

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PTO-912 2003

PTO/SB/21 (08-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|  |   |                        |                |
|--|---|------------------------|----------------|
|  |   | Application Number     | 10798,686      |
|  |   | Filing Date            | March 11, 2004 |
|  |   | First Named Inventor   | Rocco DiFoggio |
|  |   | Art Unit               | 3672           |
|  |   | Examiner Name          | Not Assigned   |
| Total Number of Pages in This Submission | 9 | Attorney Docket Number | 584-30872-US   |

**ENCLOSURES (Check all that apply)**

|  |   |   |  |
|--|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form  | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |  |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |  |
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| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |  |
| <input type="checkbox"/> Affidavits/declaration(s)   | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |  |
| <input type="checkbox"/> Extension of Time Request   | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |  |
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| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application  | <input type="checkbox"/> Landscape Table on CD                            |   |  |
| <input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53                                 | Remarks   |   |  |
| The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 02-0429 (584-30872-US). |   |   |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                              |          |        |
|--------------|------------------------------|----------|--------|
| Firm Name    | Madan, Mossman & Sriram P.C. |          |        |
| Signature    |                              |          |        |
| Printed name | Chandran D. Kumar            |          |        |
| Date         | February 21, 2006            | Reg. No. | 48,679 |

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |                    |      |                   |
|-----------------------|--------------------|------|-------------------|
| Signature             |                    |      |                   |
| Typed or printed name | Margaret A. Pruitt | Date | February 21, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Margaret A. Pruitt

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|   |                           |
|---|---------------------------|
| Re: Rocco DiFoggio  | § Docket No: 584-30872-US |
| Serial No: 10/798,686   | § Art Unit: 3672          |
| Filed: March 11, 2004   | § Examiner: Not Assigned  |
| Title: " Method and Apparatus for Downhole Quantification of Methane Using Near Infrared Spectroscopy | § Confirmation No.: 6263  |

**PRELIMINARY AMENDMENT**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sir:

Prior to any substantive action on the application, please amend the application as indicated below. Amendments to the claims start on page 2 of this document. Remarks start on page 7 of this document.